

REMARKS/ARGUMENTS

These remarks are made in response to the Restriction Requirement of January 23, 2008. The response is timely filed within the 30 day shortened statutory period, and, as such, no fee is believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account 50-0951.

A restriction requirement is set forth in the Office Action requiring election of one of the following claim groupings:

Group I: Claims 1-21, drawn to an EWC-LMS technique, classified in class 703, subclass 2.

Group II: Claims 22-57, drawn to an REW technique, classified in class 703, subclass 2.

Applicant elects Group I (Claims 1-21) for prosecution. Withdrawal of the outstanding restriction requirement under 35 U.S.C. § 121 and examination on the merits is respectfully requested. Applicants respectfully assert, however, that the withdrawal of Claims 22-57 is not to be construed as a surrender of any subject matter in the instant application, and Applicants expressly reserve the right to pursue protection for the subject matter of the withdrawn claim in one or more divisional patent applications.

Appln. No. 10/814,441
Response dated February 22, 2008
Reply to Restriction Requirement dated January 23, 2008
Docket No. 5853-406-1

CONCLUSION

Applicant respectfully requests that the Examiner call the undersigned if it is believed that the above restriction election is incomplete or in any way improper. Applicant also requests that the Examiner call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the above-identified application to an allowance.

Respectfully submitted,

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